

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Virginia M. Litwin, et al.
U.S. Serial No.: Not Yet Known (continuation of U.S. Serial No.
09/118,415, filed July 17, 1998)
Filed : June 25, 2001
For : COMPOUNDS CAPABLE OF INHIBITING HIV-1
INFECTION

1185 Avenue of the Americas
New York, New York 10036
June 25, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

Box: Patent Applications

SIR:

PRELIMINARY AMENDMENT

Please amend the subject application as follows:

In the specification:

On page 1, lines 5-7, please delete the paragraph which begins
"This application is a continuation-in-part of" and insert the
following paragraph:

--This application is a continuation of U.S. Serial No.
09/118,415, filed July 17, 1998, which is a continuation of
PCT International Application No. PCT/US97/00758, filed
January 17, 1997, which is a continuation-in-part of U.S.
Serial No. 08/587,458, filed January 17, 1996, now abandoned,
the contents of which are hereby incorporated by reference
into this application.--

In the claims:

Please cancel claims 1-39 without prejudice or disclaimer to

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applicants' right to pursue the subject matter of these claims in a later-filed application and please add new claims 40-45 as follows:

- 40. (New) A method of inhibiting HIV-1 infection of a CD4+ cell which comprises contacting the CD4+ cell with an amount of a monoclonal antibody or portion thereof effective to (a) specifically inhibit 67% or greater of fusion of a CD4+ PM-1 cell to a HeLa cell expressing envelope glycoprotein from HIV-1_{JR-FL}, and (b) inhibit 18% or less of fusion of a CD4+ SUP-T1 cell to a HeLa cell expressing envelope protein from HIV-1_{LAI}, wherein the antibody (i) does not crossreact with HIV-1 envelope glycoprotein or CD4, (ii) reacts with an antigen on the surface of a PM-1 cell, and (iii) does not react with an antigen on the surface of a SUP-T1 cell, so as to thereby inhibit HIV-1 infection of the CD4+ cell.--
- 41. (New) The method of claim 40, wherein the monoclonal antibody is a chimeric monoclonal antibody.--
- 42. (New) The method of claim 40, wherein the monoclonal antibody is humanized.--
- 43. (New) The method of claim 40, wherein the monoclonal antibody is a human monoclonal antibody.--
- 44. (New) The method of claim 40, wherein the portion of the monoclonal antibody is a single chain antibody or an antigen binding fragment.--
- 45. (New) The method of claim 40, wherein the monoclonal antibody is labeled with a detectable marker.--

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--46. (New) The method of claim 45, wherein the detectable marker is a radioactive isotope, enzyme, dye or biotin.--

--47. (New) The method of claim 40, wherein the CD4+ cell is present in the subject and the contacting is effected by administering the monoclonal antibody or portion thereof to the subject.--

Remarks

Claims 1-39 are pending in the subject application. Applicants have hereinabove canceled claims 1-39 without prejudice or disclaimer to their right to pursue the subject matter of these claims in a later-filed application and added new claims 40-47. Support for newly added claims 40-47 may be found inter alia in the specification as follows: claim 40: Table 1 on page 34 which recites that the % inhibition of cell fusion of HeLa-env_{LAI} and SUP-T1 cells in the RET by novel mAb PA-6 is 18% and that the % inhibition of cell fusion of HeLa-envJr-FL and PM-1 cells in the RET by novel mAb PA-7 is 67%, page 14, lines 18-21; claim 41: see support for claim 4, page 12, lines 12-13; claim 42: see support for claim 5, page 12, lines 13-14; claim 43: see support for claim 6, page 12, lines 14-16; claim 44: see support for claim 7, page 12, lines 30-31; claim 45: see support for claim 9, page 13, lines 18-19; claim 46: see support for claim 10, page 13, lines 18-20; claim 47: page 21 lines 26-30. This amendment does not involve any issue of new matter. Therefore, entry of this amendment is respectfully requested, such that claims 40-47 will be pending.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone either of them at the

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number provided below.

No fee, other than the enclosed \$355.00 filing fee, is deemed necessary in connection with the filing of this Preliminary Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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